IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2235 OF 2006

M/s.Kalpak Ply & anr. Petitioners
vs.
The Maharashtra Sales Tax Tribunal
& ors. Respondents

Ms.Nikita Badheka with Mr.B.C.Joshi i/b.Mr.M.M.Vaidya
for the petitioners.

Mr.Vinay Sonpal, Assistant Government Pleader for the
respondents.

CORAM : R. M. LODHA &
J. P. DEVADHAR,JJ.

DATED : 10th April, 2006

P.C.

Heard.

2. This writ petition does not deserve to be admitted as the petitioners have efficacious remedy of approaching this Court under Section 61(2) of the Bombay Sales Tax Act, 1959 by seeking reference.

3. We, accordingly, decline to admit the writ petition. The petitioners shall be at liberty to pursue the remedy available under Section 61(2) of the Bombay Sales Tax Act. If, by this time, the limitation has already expired, it is for the petitioners to make out a case for condonation of delay.

4. It may be observed that in case the petitioners intend to pursue the remedy under Section 61(2) of the Bombay Sales Tax Act, they will have to make separate reference application with regard to each impugned order.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)